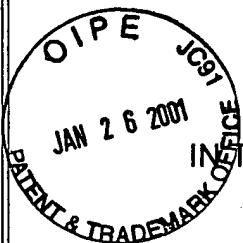


68 1700

1715

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Martin C. FLAUTT et al.

)
)
)
)
)
)
)

RECEIVED

JAN 29 2001

TC 1700

United States Patent Application
Serial No. 09/409,457
Filed: September 30, 1999

) Group Art Unit: 1700

) Examiner: Vask Jagannathan

Title: SUPERABSORBENT WATER-RESISTANT
COATINGS FOR FIBER-REINFORCED
ARTICLES

RECEIVED

JAN 30 2001

TC 1700 MAIL ROOM

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PROTEST PURSUANT TO 37 C.F.R. § 1.291

Flautt et al. PCT Application WO 00/29486 (attached) identifies U. S. patent application Serial No. 09/190,866 filed November 13, 1998 as the priority application. Subsequent inquiry shows the applicants filed a Continuation-in Part (CIP) application as identified above, that claim the benefit of Application No. 09/190,866.

The claims of the PCT application describe an article having a coating composition on it which is a superabsorbent water-soluble polymer precursor in aqueous solution (Claim 1), which may also contain a lubricant (Claim 5).

This protest calls to the attention of the Supervisory Primary Examiner, PCT application WO 96/48049 published on December 19, 1996 (attached) which describes polymerizing monomers utilized in manufacturing superabsorbent polymers (with or without cross-linking agents) and one or more solid and/or liquid lubricants and lubricant

additives into solid matrices so that the resulting composition has lubricant components structurally integrated throughout the superabsorbent polymer network. This reference goes on to describe applying this combination to the surface of an article of manufacture. WO 96/40849 anticipates or makes any claimed subject matter in the Flautt et al. application obvious, which relates to polymerizing superabsorbent polymer precursors in combination with lubricants.

Flautt et al. also describe a coating formed on the surface of a reinforcing article where the coating is a superabsorbent water-soluble polymer (Claim 8) which can also contain a lubricant (Claim 11). Flautt et al. also disclose that the coatings described have the property of substantially, and instantaneously absorbing water when exposed to aqueous environments. (Flautt et al., p. 5, lines 7-9.) WO 96/40849 discloses a lubricant composition comprising a superabsorbent polymer combined with a material for decreasing friction between moving surfaces, and goes on to describe the presence of one or more superabsorbent polymers in a solid or liquid lubricating system or device that can act as a moisture scavenger to protect certain parts from the affects of water or water migration. (WO 96/40849, paragraph bridging pages 28 and 29). This disclosure in WO 96/40849 anticipates or makes any claimed subject matter in the Flautt et al.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

application relating to these coatings obvious, especially where they relate to absorbing water.

If filing this protest requires payment of a fee, not accounted for above, the undersigned attorneys request payment of any fee due by charging the same to their deposit account 06-0196.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARETT & DUNNER, L.L.P.

By: Robert J. Eichelburg
Robert J. Eichelburg
Reg. No. 23,075

Dated: January 26, 2001

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000



Certificate of Service Pursuant to 37 C.F.R. § 1.248

The undersigned attorney certifies he served a copy of this Protest

Pursuant 37 C.F.R. § 1.291 and attachments thereto on Inger H. Eckert, agent or attorney for Martin C. Flautt, James R. Priest, David V. Stotler, and Thomas P. Hager, by mailing a copy of the same by first class mail on January, 26, 2001 to:

Inger H. Eckert
Owens Corning Science & Technology Center
2790 Columbus Road
Building 54-1
Granville, OH 43023-1200

RECEIVED
JAN 29 2001
TC 1700

Robert J. Eichelburg
Robert J. Eichelburg
Reg. No. 23,057

TC 1700 MAIL ROOM
JAN 30 2001
RECEIVED

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000